

REMARKS

In the Office Action, the Examiner noted that Claims 1 through 20 were pending in the Application. The Examiner rejected all claims. Applicants traverse the rejections below.

I. Traversal of the Rejections over the Cited Art

The Examiner rejected Claims 1 - 20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,243,751 to Chaterjee et al (Chaterjee) and further in view of U.S. Patent No. 6,477,569 to Sayan et al (Sayan). Applicants traverse this rejection below.

A. The Present Invention

The present invention provides gateway between a transaction manager for managing database transactions from a set of applications, and a server. A listener process receives inbound connection requests from the transaction manager. A set of gateway agents establishes connections to the transaction manager for receiving transaction requests and establishes connections to the server.

B. No Reason to Combine the Cited Art

Applicants respectfully traverse the Examiner's rejection that independent Claims 1, 7, 10, 12, 16 and 19 are obvious because the Examiner has failed to provide a case of *prima facie* obviousness. Applicants respectfully request withdrawal of this rejection.

Applicants note that MPEP 2142 requires the Examiner to bear the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the Examiner does not produce a *prima facie* conclusion, Applicants are under no obligation to submit evidence of non-

obviousness.

The Examiner has not indicated the manner in which the cited prior art suggests the desirability of the combination of the cited art (MPEP 2143.01). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion, or incentive that supports this combination of art. The Examiner has not indicated evidence that there is a teaching, motivation, suggestion to select and combine the cited references. The Examiner has not indicated some logical reason apparent from the cited art that would justify a combination or modification of the cited references. The Examiner has not identified any reason given in the prior art which would motivate the person skilled in the art to combine the cited references to arrive at the claimed invention. Where no justification exists for the proposed combination of cited art, *prima facie* obviousness will not have been established. When the cited art simply does not provide an impetus to do what the inventor has done, the Examiner's case of *prima facie* obviousness will fail.

In view of the foregoing reasons, Applicants submit that the independent claims are not obvious, and request withdrawal of the rejection of the independent claims.

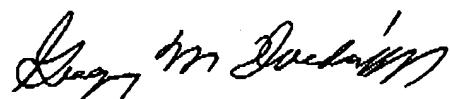
Since independent Claims 1, 7, 10, 12, 16, and 19 are not obvious and since dependent Claims 2 to 6, 8 and 9, 11, 13 to 15, 17 and 18, and 20 depend from Claims 1, 7, 10, 12, 16, and 19, then these dependant claims would also be not obvious. Applicant requests withdrawal of the rejection to these dependant claims.

II. Summary

Applicants have presented technical explanations and arguments fully supporting their position that a *prima facie* case of obviousness has not been provided in the Office Action, and that the rejection is thus non-sustainable. Accordingly, Applicants submit that the present

Application is in a condition for Allowance. Reconsideration of the claims and a Notice of Allowance are earnestly solicited.

Respectfully submitted,



Gregory M. Doudnikoff
Attorney for Applicant
Reg. No. 32,847

Docket No: CA9-1999-0046-US1
PHONE: 919-254-1288 FAX: 919-254-4330

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